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JAMES BONINI
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**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO** 08 FEB 25 PM 4:35

LEE EDWARD MOORE,)	CASE NO: C-1-00-023
)	
Petitioner,)	JUDGE SUSAN J. DLOTT
)	
vs.)	CHIEF MAGISTRATE MERZ
)	
BETTY MITCHELL, Warden)	<i>DEATH PENALTY CASE</i>
)	
Respondent.)	

PETITIONER'S NOTICE OF CROSS-APPEAL

Now comes Petitioner Lee Edward Moore, by Counsel, pursuant to Fed. R. App. P. 3, and hereby gives notice of his cross-appeal to the United States Court of Appeals for the Sixth Circuit of those portions of the final order (ECF Doc. 145) and judgment (ECF Doc. 146) of the United States District Court for the Southern District of Ohio entered on 1/18/08 where the Court denied habeas relief, the orders dated 6/23/2003 (ECF Doc. 93) and 2/26/2004 (ECF Doc. 100) denying, in part, discovery, and the orders dated 9/3/2004 (ECF Doc. 105), dated 11/1/2004 (ECF Doc. 109) and 11/24/2004 (ECF Doc. 111) denying an evidentiary hearing, all of which were filed in the above styled habeas corpus proceeding.

Pursuant to Fed. R. App. P. 24(a)(3), Petitioner notes that he proceeded *in forma pauperis* in his *habeas corpus* action in the United States District Court for the Southern District of Ohio and that status has not been revoked. *See* 9/27/99 Notation Order Granting IFP Status.

Respectfully Submitted,


LAURENCE E. KOMP - 0060142

Attorney at Law

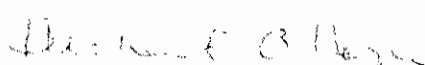
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-and-


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COUNSEL FOR PETITIONER

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was filed with and will be made available to Respondent via this Court's electronic filing system and pursuant to Loc. R. 5.2 this constitutes service.



MICHAEL O'HARA (0014966)